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## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590 04/05/2004

MacPherson, Kwok, Chen and Heid LLP  
1762 Technology Drive  
Suite # 226  
San Jose, CA 95110

EXAMINER

SWICKHAMER, CHRISTOPHER M

ART UNIT

PAPER NUMBER

2662

DATE MAILED: 04/05/2004

12

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/539,468	03/30/2000	Magnus Danielson	AB-972 US	8122

TITLE OF INVENTION: METHODS IN A COMMUNICATION NETWORK

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$0	\$665	07/06/2004

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status is changed, pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above and notify the United States Patent and Trademark Office of the change in status, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.

Applicant claims SMALL ENTITY status.  
See 37 CFR 1.27.

II. PART B - FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B - Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

7590 04/05/2004

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### Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

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nonprovisional	YES	\$665	\$0	\$665	07/06/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
SWICKHAMER, CHRISTOPHER M	2662	370-384000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
 2 \_\_\_\_\_  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent):  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

- Issue Fee  
 Publication Fee  
 Advance Order - # of Copies \_\_\_\_\_

- A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)	(Date)
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NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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7590	04/05/2004		EXAMINER	
MacPherson, Kwok, Chen and Heid LLP 1762 Technology Drive Suite # 226 San Jose, CA 95110			SWICKHAMER, CHRISTOPHER M	
			ART UNIT	PAPER NUMBER
			2662	

DATE MAILED: 04/05/2004

## Determination of Patent Term Extension under 35 U.S.C. 154 (b) (application filed after June 7, 1995 but prior to May 29, 2000)

The Patent Term Extension is 0 day(s). Any patent to issue from the above-identified application will include an indication of the 0 day extension on the front page.

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (703) 305-1383. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at (703) 305-8283.

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	09/539,468	DANIELSON ET AL.
	Examiner Christopher M Swickhamer	Art Unit 2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the amendment filed 01/09/04.
2.  The allowed claim(s) is/are 1-22.
3.  The drawings filed on 30 March 2000 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date \_\_\_\_\_.
7.  IDENTIFYING INDICIA such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Heid on 04/02/04.

The application has been amended as follows:

**In the claims:**

Claims 1, 2, 11 and 22 have been amended according to the changes shown in attached appendix A.

**Remarks**

2. The Examiner notes that the changes to claims 1, 2, 11 and 22 are to clarify and provide better flow of the claim language. The changes are not in response to a prior art or 112 rejection.

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M Swickhamer whose telephone number is (703) 306.4820. The examiner can normally be reached on 8:00-4:30 M-F.



If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou can be reached on (703) 305-4744. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CMS  
April 1, 2004



HASSAN KIZOU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600



## FOR DISCUSSION PURPOSES ONLY

S.N. 09/539,468  
AB-972US

Appendix A

3/31/04

1. (Currently Amended) A method for establishing control signaling between nodes connected to the same communication link, said link carrying a bitstream that is divided into frames, each frame in turn being divided into time slots, said time slot to be slots being allocatable to form circuit-switched channels, said method comprising the steps of:

all nodes connected to said link using, at link start-up, the same predefined time slot or set of time slots in each frame of said frames to receive control signaling messages from and transmit control signaling messages to nodes connected to said link;

B1  
said nodes establishing, using control signaling via said predefined time slot or set of time slots, respective control channels, defined by respective time slots or sets of time slots in said frames, reserved for transmission of control signaling messages from respective ones of said nodes;

each respective one of said nodes using, when having been reserved such a respective control channel, its respective control channel for sending control signaling messages to other nodes connected to said link, the other nodes on the link accessing this respective control channel only for receiving control signaling messages.

2. (Currently Amended) A method as claimed in claim 1, said step of said nodes establishing respective control channels to be used for transmission of control signaling messages from respective ones of said nodes comprising said nodes first determining, using control signaling via said predefined time slot or set of time slots, which nodes that shall have reserved write access to which time slots of said frame, each respective node then selecting its respective time slot or set of time slots, to be used as it's its control channel, from the time slots that it has so been determined to have reserved write access to and informing, using control signaling via said predefined time slot or set of time slots, other nodes of the definition of said respective time slot or set of time slots to be used as the node's control channel for it's transmission of control signaling messages.

LAW OFFICES OF  
Macpherson, Kwok,  
Chen & TTH LLP1742 Technology Drive  
Suite 220  
San Jose, CA 95110  
Telephone: (408) 392-9262  
Fax: (408) 393-4361

11. (Currently Amended) A method for establishing control signaling between nodes connected to the same communication link, said link carrying a bitstream that is divided into

B2

**FOR DISCUSSION PURPOSES ONLY****S.N. 09/539,468****AB-972US****3/31/04**

*B2*  
Cont.

frames, each frame in turn being divided into time slots, said time slot being allocatable to define circuit-switched channels, said method being performed by a subject node of said nodes and comprising the steps of:

using, at link start-up, a predefined time slot or set of time slots in each frame of said frames to receive control signaling messages from and to transmit control signaling messages to other nodes connected to said link, said predefined time slot or set of time slots being the same for all nodes connected to said link;

establishing, using control signaling via said predefined time slot or set of time slots, a control channel defined by another time slot or set of time slots in said frames to be used exclusively by the subject node for transmission of control signaling messages to other nodes connected to said link; and, having done so,

using said control channel to transmit control signaling messages to other nodes connected to said link.

*B3*

22. (Currently Amended) A method for establishing control signaling between nodes connected to the same communication link, said link carrying a bitstream that is divided into frames, each frame in turn being divided into time slots, said time slot being allocatable to define circuit-switched channels, said method comprising the steps of:

at link start-up said nodes using at link start-up predefined point-to-point channels to interconnect neighbor nodes on said link, said predefined point-to-point channels all being defined by the same predefined time slot or set of time slots in each frame of said frames each interconnecting neighbor nodes on said link and all together forming a packet switched control signaling channel for control signaling;

said nodes establishing using control signaling via said packet switched control signaling channel to establish respective circuit switched point-to-multipoint control signaling channels defined by respective time slots or set of time slots on said frames to be used for transmission of control signaling messages from respective exclusive ones of said nodes.

LAW OFFICES OF  
Macpherson, Kwok,  
Chen & Tiede LLP

1762 Technology Drive  
Suite 220

San Jose, CA 95131  
Telephone: (408) 392-9260  
Fax: (408) 392-9262